

\*\*E-filed 2/21/06\*\*

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DAWN MAY

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

***E-FILING***

DAWN MAY,

Plaintiff,

vs.

UNUM LIFE INSURANCE COMPANY OF  
AMERICA, and DOES 1 through 10, inclusive

Defendant.

CASE NO. C-05-02425 JF

JOINT STIPULATION TO  
CONTINUE THE MARCH 24, 2006  
CASE MANAGEMENT CONFERENCE  
AND [PROPOSED] ORDER

**IT IS HEREBY STIPULATED** by and between the parties hereto, through their respective attorneys of record herein, that the Case Management Conference in this matter, currently scheduled for March 24, 2006 before the Honorable Jeremy Fogel, be continued to May 25, 2006, or a date thereafter at the convenience of the Court.

Good cause exists for this continuance as the parties have agreed to a private mediation of this matter for May 18, 2006, thereby conserving judicial resources. The mediation was scheduled for February 16, 2006, but the parties were not able to go forward with mediation on

1 that date for the following reasons. The client representative on behalf of UNUM Life Insurance  
2 Company of America was called for jury duty and was selected to serve as a juror on a criminal  
3 trial, which would conflict with the February 16, 2006 mediation date. Additionally, the parties  
4 originally agreed to mediation early in the case, before discovery took place and before  
5 substantial resources were expended on the litigation, to allow UNUM to review medical  
6 records to be provided by plaintiff's counsel. Counsel for plaintiff has been providing medical  
7 records to UNUM and is still in the process of gathering additional medical records for UNUM's  
8 review. The requested continuance will allow counsel for plaintiff to provide the medical  
9 records that he would like UNUM to review in advance of mediation and will allow time for  
10 UNUM to in fact review the medical records before mediation.

11 Moreover, plaintiff's counsel is undergoing hip replacement surgery on February 20,  
12 2006. The mediation has been set in May to allow plaintiff's counsel ample time to recuperate  
13 from his surgery.

14 Pursuant to local rules, this document is being electronically filed through the Court's  
15 ECF System. In this regard, counsel for defendant hereby attests that (1) the content of this  
16 document is acceptable to all persons required to sign the document; (2) plaintiff's counsel has  
17 signed this document; and (3) the signed document is available for inspection upon request.

18  
19 **SO STIPULATED.**

20 **FLYNN, ROSE & PERKINS**

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24 DATED: February 14, 2006

By: /s/ CHARLES B. PERKINS  
CHARLES PERKINS  
Attorneys for Plaintiff  
DAWN MAY

**RIMAC & MARTIN, P.C.**

DATED: February 15, 2006

By: /s/ ANNA M. MARTIN  
ANNA M. MARTIN  
Attorneys for Defendant  
UNUM LIFE INSURANCE COMPANY OF  
AMERICA

**ORDER**

**IT IS HEREBY ORDERED** that the Case Management Conference be continued from March 24, 2006 to May 26, 2006. The parties shall file a Joint Case Management Statement seven (7) days prior to the Conference.

**SO ORDERED.**

DATED: 2/21/06

  
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JUDGE OF THE UNITED STATES DISTRICT COURT  
JUDGE JEREMY FOGEL